

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

**LEAH MITELBERG, individually and on behalf of all others similarly situated,) Civil Action No. 2:21-CV-01043
Plaintiff,) Hon. Susan D. Wigenton
v.) NOTICE OF MOTION
THE TRUSTEES OF THE STEVENS) (Oral Argument Requested)
INSTITUTE OF TECHNOLOGY,) MOTION DATE: May 3, 2021
Defendant.**

To: Philip L. Fraietta
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PLEASE TAKE NOTICE that defendant The Trustees of the Stevens Institute of Technology (“Stevens”), will move this Court, before the Honorable Susan D. Wigenton, U.S.D.J., at the United States District Court for the District of New Jersey, Martin Luther King Building & U.S. Courthouse, 50 Walnut Street, Newark, NJ 07102, on May 3, 2021, at 9:00 a.m., or as soon thereafter as counsel

may be heard, for an Order granting Stevens' Motion to Dismiss Plaintiff's Complaint pursuant to Federal Rules of Civil Procedure 12(b)(6).

PLEASE TAKE FURTHER NOTICE that in support of the motion, Stevens shall rely on the enclosed Memorandum of Law, the Declaration of Angelo A. Stio, III and the exhibits thereto. A proposed form of Order also is submitted for the Court's convenience.

PLEASE TAKE FURTHER NOTICE that oral argument is requested.

/s/ Angelo A. Stio III
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*Attorneys for Defendant The Trustees of The
Stevens Institute of Technology*

Dated: March 29, 2021